

Notice of Allowability

Application No.

10/664,095

Examiner

Hoa V. Le

Applicant(s)

GURER ET AL.

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 16 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 16 September 2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 08 December 2004
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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This application is before the examiner for consideration.

I. Mr. Michael A. Bernadicou elects the invention of group I, claims 1-12 on 07 December 2004.

II. Searches for the elected invention of group I, claims 1-12 have been made.

III. Mr. Michael A. Bernadicou confirms that ASML Holding N.V. is now the owner of all Silicon Valley Group, Inc. properties on 08 December 2004.

IV. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael A. Bernadicou on 08 December 2004.

AMENDMENT: The non-elected invention of group II, claims 13-17, has been canceled to put the application in a condition for an allowance. Applicants may file a divisional application with the claims of the invention of group II.

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V. The suggestion for canceling of the non-elected invention of group II, claims 13-17 is to put the application with the elected, considered and searched invention of group I, claims 1-12 in a condition for an allowance.

VI. The following is an examiner's statement of reasons for allowance:

(1) Baise et al (4,507,333), Lazarus et al (5,094, 934) and Babb et al (5,489,623) are all disclose, teach and suggest an image forming process comprising the step of contacting an exposed polymer layer to a developing solution for a sufficient amount of time to soften, disperse and wash away a portion of the polymer layer to provide an image. However, Patentees fail to disclose, teach or suggest a method for minimizing precipitation of developing reactant by lowering a sudden change in pH comprising the steps of developing and an additional step of (1) permitting a portion of the developing solution to dwell on the developed polymer so as to controllably minimize a subsequent sudden change in pH or (2) rinsing the developed polymer with an additional amount of the developing solution so as to controllably minimize a subsequent sudden change in pH as claimed.

Park et al (6,746,826) disclose, teach and suggest an image forming process comprising the first step of forming a substantially inert layer on an exposed polymer layer. This step is disclosed and taught for the benefit of protecting the polymer layer from being damage from a momentum imparted by dispensing of a developing solution to microstructures on the exposed polymer layer. The instant claims do not require this step. Applicants also do not recognize the benefit of this step as discovered by patentees.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

VII Gurer et al (6,669,779) and Nguyen (6,689,215) are cited to show the state of the art.

VIII. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoa V. Le whose telephone number is 571-272-1332.

The examiner can normally be reached from 6:30 AM to 4:30 PM on Monday through Thursday and about the same time of most Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on 571-272-1526.

Applicants may file a paper by (1) fax with a central facsimile receiving number 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Hoa V. Le
Primary Examiner
Art Unit 1752

HVL
08 December 2004

HOA VAN LE
PRIMARY EXAMINER

Hoa Van Le